

California Regional Water Quality Control Board
North Coast Region

Notice of Public Hearing and Notice of Issuance
Of Administrative Civil Liability Order No. R1-2010-0008

For

Discharges in Violation of Waste Discharge Requirements
Order No. R1-2003-0047

In the Matter of
The City of Yreka
Wastewater Treatment Facility
WDID No. 1A84073OSIS

Siskiyou County

The California Regional Water Quality Control Board, North Coast Region (Regional Water Board) Assistant Executive Officer issued Administrative Civil Liability Complaint No. R1-2009-0055 on August 17, 2009 to the City of Yreka (hereinafter the Discharger). The Complaint was issued for sanitary sewer overflows in violation of the Discharger's Waste Discharge Requirements (WDRs) Order. The Civil Liability amount is \$20,685.

The Discharger has paid \$5,000 to the State Water Pollution Cleanup and Abatement Account (CAA), and has spent more than the remaining balance of \$15,685 on an expanded sewer replacement Project involving replacement of an extended section of sewer main line, including manholes and laterals; this Project should help reduce blockages in the sewer line, infiltration and inflow, and spilled sewage that may enter State waters.

Public Hearing Procedures

The Regional Water Board will hold a public hearing on this matter on March 24, 2010 or as announced in the Regional Water Board's summary agenda to be mailed on or about March 1, 2010. The meeting is scheduled to be held in the Yurok Tribal Headquarters, 190 Klamath Boulevard, Klamath, California. At the hearing, the Regional Water Board will consider whether to affirm, reject, or modify the proposed Civil Liability, or take other enforcement action, and whether to approve the Discharger's Compliance Project, which will permanently suspend remaining liability.

The Discharger and interested persons must submit to the Regional Water Board office at 5550 Skylane Boulevard, Suite A, Santa Rosa, California, 95403, written copies of all technical reports, testimony, and other evidentiary material concerning these issues by 5:00 p.m. on February 21, 2010. This written material will be made available to the Regional Water Board members and all interested persons.

Written material received after the above date will not be accepted, except at the discretion of the Regional Water Board Chair. Untimely written material will not be accepted or incorporated into the administrative record if doing so would prejudice the Discharger or the Regional Water Board staff. The Chair may choose to modify this rule upon a showing of severe hardship (California Code of Regulations, title 23, sections 648.1 and 648.4).

All those who plan to testify at the hearing must submit written statements to the Regional Water Board by February 21, 2010. The statements should provide the name of the witness, their qualifications (if an expert), and the scope of their intended testimony. Testimony at the above-scheduled hearing may summarize or explain timely submitted or late-accepted written evidence, but shall not add new evidence. The time

constraints for oral testimony or comments will be set by the Regional Water Board Chair and usually will allow no more than ten minutes each for Regional Water Board staff and the Discharger and three minutes each for other interested persons. A timer may be used and speakers are expected to honor the time limits. Where speakers can be grouped by affiliation or interest, such groups will be expected to select a spokesperson and not be repetitive.

Separation of Functions

To ensure the fairness and impartiality of this proceeding, the functions of those who will act in a prosecutorial role by presenting evidence for consideration by the Regional Board ("Prosecution Team") have been separated from those who will provide advice to Region Board ("Advisory Team"). Members of the Prosecution Team are: Luis Rivera, Assistant Executive Officer; David Leland, Supervising Water Resources Control Engineer in charge of the Watershed Protection Division; Diana Henriouille, Senior Water Resources Control Engineer in charge of the Enforcement Unit; William Rodriquez, Sanitary Engineering Associate; and Kimberly Niemeyer, Staff Counsel. Any members of the Advisory Team who normally supervise any members of the Prosecution Team are not acting as their supervisors in this proceeding, and vice versa. Members of the Advisory Team are Catherine Kuhlman, Executive Officer, and Samantha Olson, Staff Counsel. Members of the Prosecution Team may have acted as advisors to the Regional Board in other, unrelated matters, but they are not advising the Regional Board in this proceeding. Members of the Prosecution Team may have acted as advisors to the Regional Board in other, unrelated matters, but they are not advising the Regional Board in this proceeding. Members of the Prosecution Team have not had any ex parte communications with the members of the Regional Board or the Advisory Team regarding this proceeding.

Document Review

The proposed Order is available for review on the Regional Water Board web site at http://www.waterboards.ca.gov/northcoast/board_decisions/tentative_orders/. That document, as well as the other evidentiary documents and the file, may be inspected or copied at the Regional Water Board office on Monday through Friday from 8:00 a.m. to 5:00 p.m. Appointments are recommended for file review. Appointments may be made by calling (707) 576-2220. For further information, please contact Regional Water Board staff member Cecile Morris at (707) 576-2347 or by email at cmorris@waterboards.ca.gov if you have any questions.

Luis G. Rivera
Assistant Executive Officer

December 28, 2009